# HOUSE JOURNAL TENTH DAY

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## **MORNING SESSION**

The House was called to order by Speaker Stephens at 9:30 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Mark A. Benson, Representative Ben Ferry's father-in-law.

#### **COMMUNICATION FROM THE SENATE**

Mr. Speaker:

January 29, 2002

The Senate passed, **H.B. 217**, DESIGNATION OF MEMORIAL HIGHWAY, by Representative D. Ure, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore Secretary of the Senate

Communication filed. **H.B. 217** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker:

January 29, 2002

The Political Subdivisions Committee recommends **H.B. 184**, IMPACT FEES ACT AMENDMENTS, by Representative G. Way, be replaced and favorably recommends **2nd Sub. H.B. 184**, IMPACT FEES ACT AMENDMENTS; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 35**, VOTER RESIDENCE WHERE LOT IS DIVIDED BY COUNTY BOUNDARY LINE, by Senator C. Walker.

David L. Hogue, Chair

Reports filed. On motion of Representative Hogue, the reports of the Political Subdivisions committee were adopted.

2nd Sub. H.B. 184 and S.B. 35, read the second time by short title and placed on the calendar for third reading.

Mr. Speaker:

January 29, 2002

**Day 10** 

The Government Operations Committee reports a favorable recommendation on 1st Sub. S.B. 34, PRIVATE RECORDS AMENDMENTS, by Senator D. Steele; and

The Government Operations Committee reports a favorable recommendation on S.B. 36, PROVISIONAL BALLOT, by Senator J. Hickman.

Craig W. Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Government Operations committee were adopted.

Sub. S.B. 34 and S.B. 36, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker:

January 29, 2002

The Revenue and Taxation Committee reports a favorable recommendation on H.B. 103, INDIVIDUAL INCOME TAX DEDUCTION FOR NET CAPITAL GAIN, by Representative J. Ferrin, with the following amendments:

1. Page 1, Line 8:

After "technical changes." insert "This act requires the State Tax Commission to make transfers from the General Fund to the Uniform School Fund equal to the amount of individual income tax deductions for net capital gain claimed, and grants rulemaking authority to the State Tax Commission."

- 2. Page 5, Line 127: Delete "50%" and insert ".5%"
- 3. Page 5, Line 128:

After "Internal Revenue Code" insert a comma and "subject to the following: (i) in accordance with any rules prescribed by the commission under Subsection (2)(m)(ii), the commission shall transfer at least annually from the General Fund into the Uniform School Fund an amount equal to the amount of individual income tax deductions for net capital gain claimed under Subsection(2)(m); and (ii) in accordance

with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission may make rules providing procedures for making transfers from the General Fund into the Uniform School Fund as required by Subsection (2)(m)(i)."; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 20**, BONDING AUTHORITY FOR IRRIGATION DISTRICTS, by Senator D. Gladwell; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 116**, LOCAL GOVERNMENT VARIABLE RATE BONDING AUTHORITY, by Senator D. C. Buttars; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 129**, SALES AND USE TAXES - EXEMPTION FOR CERTAIN SALES OF ELECTRICITY, by Representative L. Shurtliff, with the following amendments:

- 1. Page 1, Line 7:
  - Delete "renewable resources" and insert "a new wind, geothermal, or solar power energy source"
- 2. Page 2, Line 52:

After ". a" delete "municipality may not levy a municipal energy sales"

3. Page 2, Line 53:

At the beginning of line 53 delete "and use tax on the" and after "within" delete "the" and insert "a" and after "municipality" insert "is exempt from the tax authorized by this section" and after "if the sale" insert "or use"

4. Page 2, Line 55:

After "produced from" delete "renewable resources" and insert "a new wind, geothermal, or solar power energy source"

5. Pages 2-3, Lines 57-60:

After line 57 delete lines 58-60 and insert:

"(i) unrelated to the amount of electricity used by the person purchasing the electricity under the tariff described in Subsection (4)(a); and

(ii) equivalent to the number of kilowatt-hours specified in the tariff described in Subsection (4)(a) that may be purchased under the tariff described in Subsection (4)(a)."

6. Page 12, Line 348:

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- After "(55) sales" insert "or uses" and after "the sales" insert "or uses"
- 7. Page 12, Line 350:

After "produced from" delete "renewable resources" and insert "a new wind, geothermal, or solar power energy source"

8. Page 12, Lines 352 - 355:

After line 352 delete lines 353-355 and insert:

"(i) unrelated to the amount of electricity used by the person purchasing the electricity under the tariff described in Subsection (55)(a); and

(ii) equivalent to the number of kilowatt-hours specified in the tariff described in Subsection (55)(a) that may be purchased under the tariff described in Subsection (55)(a)."; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 182**, TAX REVIEW COMMISSION AMENDMENTS, by Representative C. Bennion, and recommends it be placed on the Consent Calendar.

Gordon E. Snow, Chair

Reports filed. On motion of Representative Snow, the reports of the Revenue and Taxation committee were adopted.

- **H.B. 103**, as amended, **S.B. 20**, **S.B. 116**, and **H.B. 129**, as amended, read the second time by short title and placed on the calendar for third reading.
- **H.B. 182**, read the second time by short title and placed on the Consent Calendar.

#### **INTRODUCTION OF BILLS**

### MEMORIAL PLAQUE OF GEORGE E. WAHLEN IN THE CAPITOL

#### H.B. 178

Gerry A. Adair

THIS ACT MODIFIES THE POWERS OF THE STATE CAPITOL PRESERVATION BOARD BY REQUIRING THE BOARD TO PLACE A MEMORIAL PLAQUE IN THE STATE CAPITOL BUILDING HONORING GEORGE E. WAHLEN, read the first time by short title and referred to the Rules Committee.

#### INDEPENDENT ENTITY PRIVATIZATION AMENDMENTS

H.B. 289

Martin R. Stephens

THIS ACT MODIFIES PROVISIONS OF THE QUASI-GOVERNMENTAL ENTITIES ACT AND THE INDEPENDENT

ENTITIES CODE BY PROVIDING AN EXCEPTION TO THE PROHIBITION ON ASSET TRANSFERS TO AN INTERESTED PARTY OF A QUASI-GOVERNMENTAL OR INDEPENDENT ENTITY FOR LOAN PROGRAM FUNDS THAT MEET SPECIFIED REQUIREMENTS. THIS ACT PROVIDES AN EFFECTIVE DATE, read the first time by short title and referred to the Rules Committee.

#### AFFIDAVIT OF IMPECUNIOSITY AMENDMENTS

H.B. 290

John E. Swallow

THIS ACT MODIFIES A PROVISION OF THE CODE OF CRIMINAL PROCEDURE CONCERNING INDIGENT DEFENDANTS. THE ACT REQUIRES THAT DEFENDANTS CLAIMING INDIGENCY INFORM THE COURT OF ANY CHANGES IN CIRCUMSTANCES THAT AFFECT THEIR INDIGENCY. THE ACT ALSO MAKES IT A CLASS B MISDEMEANOR TO MAKE FALSE STATEMENTS ON AN AFFIDAVIT OF IMPECUNIOSITY, read the first time by short title and referred to the Rules Committee.

#### OBLIGATIONS RELATED TO MORTGAGE LOAN RESERVE ACCOUNTS

H.B. 291

John E. Swallow

THIS ACT MODIFIES THE FINANCIAL INSTITUTIONS ACT TO EXEMPT LOANS MADE AFTER MAY 6, 2002 FROM CERTAIN OBLIGATIONS RELATED TO RESERVE ACCOUNTS AND TO MAKE TECHNICAL CHANGES, read the first time by short title and referred to the Rules Committee.

#### RESOLUTION URGING HAZARDOUS MATERIALS NOT BE TRANSPORTED BY TRAIN DURING THE OLYMPICS

H.J.R. 20

Fred J. Fife

THIS JOINT RESOLUTION OF THE LEGISLATURE URGES THE UTAH OLYMPIC PUBLIC SAFETY COMMAND TO PROHIBIT THE TRANSPORTATION OF HAZARDOUS MATERIALS BY RAIL THROUGH SALT LAKE CITY DURING THE 2002 OLYMPIC WINTER GAMES, read the first time by short title and referred to the Rules Committee.

## RESOLUTION ENCOURAGING CONGRESSIONAL APPROVAL OF FARM BILL

H.J.R. 21

Craig W. Buttars

THIS JOINT RESOLUTION OF THE LEGISLATURE REQUESTS THAT THE UNITED STATES CONGRESS REMOVE THE WATER

CONSERVATION PROGRAM AMENDMENT FROM SENATE BILL 1731, THE AGRICULTURE, CONSERVATION, AND RURAL ENHANCEMENT ACT OF 2001, AND PASS THE LEGISLATION, read the first time by short title and referred to the Rules Committee.

## RESOLUTION OPPOSING INCREASED VIOLENCE IN SPORTS AGAINST SPORTS OFFICIALS

H.J.R. 22 David L. Hogue

THIS JOINT RESOLUTION OF THE LEGISLATURE STRONGLY URGES SCHOOL AND RECREATIONAL SPORTS OFFICIALS, PARENTS, AND PARTICIPANTS TO WORK TOGETHER TO CURB THE ESCALATING INCIDENCES OF VIOLENCE AGAINST SPORTS OFFICIALS, read the first time by short title and referred to the Rules Committee.

#### THIRD READING CALENDAR

- **S.B. 11**, PROHIBITING INTIMACY WITH YOUTH RECEIVING STATE SERVICES, read the third time by short title and placed on its final passage.
  - **S.B. 11** then passed on the following roll call:

## Yeas, 70; Nays, 0; Absent or not voting, 5.

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Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Bennion	Beshear
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Bryson	Buffmire	Bush
Buttars	D. Clark	S. Clark	D. Cox
Curtis	<b>Daniels</b>	Dayton	Dillree
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Gowans
Hansen	Harper	Hatch	Hendrickson
Hogue	Holdaway	E. Hutchings	B. Johnson
Jones	Litvack	Lockhart	Mascaro
McCartney	Morgan	Murray	Newbold
Pace	Parker	Peterson	Philpot
Ray	Saunders	Seitz	Shurtliff
Siddoway	G. Snow	Styler	<b>Swallow</b>
Thompson	Throckmorton	Tyler	Ure
Urquhart	Wallace	Way	Winn
Young	M. Stephens	-	

**Absent or not voting were:** Representatives

Alexander Beck Becker King

Moss

**S.B. 11** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

#### **UNFINISHED BUSINESS**

On motion of Representative Ray, the House voted to uncircle S.B. 12.

- **S.B. 12**, TRANSFER OF YOUTH SERVICES OVERSIGHT, was before the House on its final passage.
  - **S.B. 12** then passed on the following roll call:

## Yeas, 67; Nays, 0; Absent or not voting, 8.

## **Voting in the affirmative were:** Representatives

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Bennion	<b>Beshear</b>
Bigelow	Biskupski	Bowman	<b>Bradshaw</b>
Bryson	Buffmire	Bush	<b>Buttars</b>
D. Clark	S. Clark	D. Cox	Curtis
Daniels	Dayton	Dillree	Donnelson
Duckworth	Ferrin	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hogue
Holdaway	E. Hutchings	B. Johnson	Jones
Litvack	Lockhart	Mascaro	McCartney
Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Swallow	Thompson	Tyler
Ure	Urquhart	Wallace	Way
Winn	Young	M. Stephens	·

## **Absent or not voting were:** Representatives

Alexander Beck Becker Bourdeaux
King Morgan Styler Throckmorton

**S.B. 12** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

#### THIRD READING CALENDAR

- **S.B. 6**, APPLICATION FOR VEHICLE TITLE AMENDMENTS, read the third time by short title and placed on its final passage.
  - **S.B. 6** then passed on the following roll call:

## Yeas, 66; Nays, 0; Absent or not voting, 9.

## **Voting in the affirmative were:** Representatives

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Bennion	Beshear
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Bryson	Buffmire	Bush
D. Clark	S. Clark	D. Cox	Curtis
Daniels	Dayton	Dillree	Donnelson
Duckworth	Ferrin	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hogue
E. Hutchings	B. Johnson	Jones	Litvack
Lockhart	Mascaro	McCartney	Moss
Murray	Newbold	Pace	Parker
Peterson	Philpot	Ray	Saunders
Seitz	Shurtliff	Siddoway	G. Snow
Styler	Swallow	Thompson	Tyler
Ure	Urquhart	Wallace	Way
Young	M. Stephens		J

## **Absent or not voting were:** Representatives

Alexander	Beck	Becker	Buttars
Holdaway	King	Morgan	Throckmorton
Winn	Ü	G	

**S.B. 6** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

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- **S.B. 21**, MOTOR VEHICLE REGISTRATION, read the third time by short title and placed on its final passage.
  - **S.B. 21** then passed on the following roll call:

## Yeas, 68; Nays, 0; Absent or not voting, 7.

## Voting in the affirmative were: Representatives Aggred Adair S Allen

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Bennion	Beshear
Bigelow	Biskupski	Bourdeaux	<b>Bradshaw</b>
Bryson	Buffmire	Bush	<b>Buttars</b>
D. Clark	S. Clark	D. Cox	Curtis
Daniels	Dayton	Dillree	Donnelson
Duckworth	Ferrin	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hogue
Holdaway	E. Hutchings	B. Johnson	Jones
Litvack	Lockhart	Mascaro	McCartney
Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Styler	Swallow	Thompson
Tyler	Ure	Urquhart	Wallace
Way	Winn	Young	M. Stephens

## **Absent or not voting were:** Representatives

Alexander Beck Becker Bowman King Morgan Throckmorton

**S.B. 21** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

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- **S.J.R.** 7, RESOLUTION ON COMPENSATION OF IN-SESSION EMPLOYEES, read the third time by short title and placed on its final passage.
  - **S.J.R.** 7 then passed on the following roll call:

## Yeas, 69; Nays, 0; Absent or not voting, 6.

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Bennion	<b>Beshear</b>
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Bryson	Buffmire	Bush

D. Clark D. Cox **Buttars** S. Clark **Dayton** Dillree Curtis **Daniels Donnelson Duckworth Ferrin Ferry** Fife Garn Goodfellow Gowans Hendrickson Hansen Harper Hatch Holdaway Hogue E. Hutchings B. Johnson Litvack Lockhart Mascaro Jones **McCartney** Moss Murray Newbold Pace Parker Peterson **Philpot** Rav Seitz Shurtliff Saunders Siddoway G. Snow Styler Swallow Thompson Throckmorton **Tvler** Ure **Urguhart** Wallace Winn Young

M. Stephens

#### **Absent or not voting were:** Representatives

**Beck** Alexander **Becker** King Morgan Way

S.J.R. 7 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

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7, CIGARETTE TAX STAMP AND CONTRABAND AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Hansen, the House voted to circle S.B. 7.

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**S.B. 23**, WORKFORCE SERVICES AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Buttars, the bill was amended as follows:

- 1. Page 1, Line 27: After "members," insert "county executives,"
- 2. Page 5, Line 138: After "members," insert "county executives,"
- **S.B. 23**, as amended, then passed on the following roll call:

#### Yeas, 68; Nays, 0; Absent or not voting, 7.

**Voting in the affirmative were:** Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Bennion
Beshear	Bigelow	Bourdeaux	Bowman
Bradshaw	Bryson	Buffmire	Bush
Buttars	D. Clark	S. Clark	D. Cox
Daniels	Dayton	Dillree	Donnelson
Duckworth	Ferrin	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hogue
Holdaway	E. Hutchings	B. Johnson	Jones
Litvack	Lockhart	Mascaro	McCartney
Morgan	Moss	Murray	Newbold
Pace	Parker	Peterson	Philpot
Ray	Saunders	Seitz	Shurtliff
Siddoway	G. Snow	Styler	<b>Swallow</b>
Thompson	Throckmorton	Tyler	Ure
Urquhart	Wallace	Winn	Young

## **Absent or not voting were:** Representatives

Beck Becker Biskupski Curtis King Way M. Stephens

S.B. 23, as amended, returned to the Senate for further consideration

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**S.B. 18**, UNIFORM WITHDRAWAL PROCEDURES FOR SPECIAL DISTRICTS, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the House voted to circle S.B. 18.

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**S.B. 99**, CORE CURRICULUM AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dillree, the House voted to circle S.B. 99.

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**S.B. 105**, REPEAL OF EDUCATION MANDATES AND PROGRAMS, read the third time by short title and placed on its final passage.

On motion of Representative Harper, the bill was amended as follows:

- 1. Page 9, Line 261c (goldenrod copy):
  Delete "The Legislature finds that" and delete "students" and insert
  "Students" and after "schools" delete "would" and insert "may"
- **S.B. 105**, as amended, then passed on the following roll call:

## Yeas, 68; Nays, 0; Absent or not voting, 7.

## **Voting in the affirmative were:** Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Bennion
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Bryson	Buffmire	Bush
Buttars	D. Clark	S. Clark	D. Cox
Curtis	Daniels	Dayton	Dillree
Donnelson	Duckworth	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hogue
Holdaway	E. Hutchings	B. Johnson	Jones
Litvack	Lockhart	Mascaro	McCartney
Morgan	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Styler	Swallow	Thompson
Throckmorton	Tyler	Ure	Urquhart
Wallace	Way	Winn	Young

## **Absent or not voting were:** Representatives

Beck	Becker	Beshear	Ferrin
King	Moss	M. Stephens	

S.B. 105, as amended, was returned to the Senate for further consideration.

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- **Sub. S.B. 42**, NEW AUTOMOBILE FRANCHISE ACT, read the third time by short title and placed on its final passage.
  - Sub. S.B. 42 then passed on the following roll call:

Yeas, 58; Nays, 10; Absent or not voting, 7.

**Voting in the affirmative were:** Representatives

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Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Bennion	Beshear
Bourdeaux	Bowman	Bradshaw	Bryson
Buffmire	Bush	Buttars	D. Clark
S. Clark	D. Cox	Curtis	<b>Daniels</b>
Dayton	Dillree	Duckworth	Ferry
Fife	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	Hogue
Holdaway	E. Hutchings	B. Johnson	Jones
Litvack	Lockhart	Mascaro	McCartney
Moss	Pace	Parker	Peterson
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Swallow	Thompson	Throckmorton
Ure	Urquhart	Wallace	Way
Winn	Young		v
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#### **Voting in the negative were:** Representatives

Alexander Bigelow Donnelson Murray Newbold Philpot Ray Styler

Tyler M. Stephens

#### **Absent or not voting were:** Representatives

Beck Becker Biskupski Ferrin
Garn King Morgan

**Sub. S.B. 42** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

#### **UNFINISHED BUSINESS**

On motion of Representative Hansen, the House voted to uncircle S.B. 7.

- **S.B**> **7**, CIGARETTE TAX STAMP AND CONTRABAND AMENDMENTS, was before the House on its final passage.
  - **S.B. 7** then passed on the following roll call:

## Yeas, 67; Nays, 0; Absent or not voting, 8.

## **Voting in the affirmative were:** Representatives

AagardAdairAlexanderS. AllenAndersonArentBarrusBennion

Beshear	Bigelow	Bourdeaux	Bowman
Bradshaw	Bryson	Buffmire	Bush
Buttars	D. Clark	S. Clark	D. Cox
Curtis	Daniels	Dayton	Dillree
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Gowans
Hansen	Harper	Hatch	Hendrickson
Hogue	E. Hutchings	Jones	Litvack
Lockhart	Mascaro	McCartney	Moss
Murray	Newbold	Pace	Parker
Peterson	Philpot	Ray	Saunders
Seitz	Shurtliff	Siddoway	G. Snow
Styler	Swallow	Thompson	Throckmorton
Tyler	Ure	Urquhart	Wallace
Way	Winn	Young	

## **Absent or not voting were:** Representatives

Beck Becker Biskupski Holdaway
B. Johnson King Morgan M. Stephens

**S.B.** 7was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

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On motion of Representative Hogue, the House voted to uncircle S.B. 18.

- **S.B. 18**, UNIFORM WITHDRAWAL PROCEDURES FOR SPECIAL DISTRICTS, was before the House on its final passage.
  - **S.B. 18** then passed on the following roll call:

## Yeas, 70; Nays, 0; Absent or not voting, 5.

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Bennion
Beshear	Bigelow	Bourdeaux	<b>Bowman</b>
Bradshaw	Bryson	Buffmire	Bush
Buttars	D. Clark	S. Clark	D. Cox
Curtis	Daniels	Dayton	Dillree
Donnelson	Duckworth	Ferrin	Ferry

Goodfellow Fife Garn **Gowans** Harper Hansen Hatch Hendrickson Hogue E. Hutchings B. Johnson **Jones** Litvack Lockhart Mascaro **McCartney** Newbold Morgan Moss Murray **Pace** Parker Peterson Philpot Saunders **Shurtliff** Ray Seitz **Siddoway** G. Snow Styler **Swallow Thompson Tyler Throckmorton** Ure **Urguhart** Way Winn Wallace Young M. Stephens

**Absent or not voting were:** Representatives

Beck Becker Biskupski Holdaway

King

**S.B. 18** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

#### THIRD READING CALENDAR

- **S.B. 4**, REPORTS TO HEALTH AND HUMAN SERVICES, read the third time by short title and placed on its final passage.
  - **S.B. 4** then failed to pass on the following roll call:

#### Yeas, 26; Nays, 41; Absent or not voting, 8.

## **Voting in the affirmative were:** Representatives

Aagard	Adair	S. Allen	Anderson
Bowman	Bradshaw	Bush	<b>Daniels</b>
Dillree	Donnelson	Fife	Goodfellow
Hansen	Hogue	B. Johnson	Mascaro
Murray	Newbold	Pace	Parker
Ray	Saunders	Seitz	Siddoway
Tyler	Young		

Alexander	Arent	Barrus	Bennion
Beshear	Bigelow	Bourdeaux	Bryson
Buffmire	Buttars	D. Clark	S. Clark
D. Cox	Curtis	Dayton	Duckworth

Ferrin	Ferry	Gowans	Harper
Hendrickson	E. Hutchings	Litvack	Lockhart
McCartney	Morgan	Moss	Peterson
Philpot	Shurtliff	G. Snow	Styler
Swallow	Thompson	Throckmorton	Ure
Urquhart	Wallace	Way	Winn
M. Stephens		·	

## **Absent or not voting were:** Representatives

Beck Becker Biskupski Garn Hatch Holdaway Jones King

S.B. 4 failed and was returned to the Senate for filing.

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**S.B. 33**, ACCESS TO HEALTH CARE AND COVERAGE TASK FORCE, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to refer this bill to the Rules Committee for prioritization.

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- **S.B. 45**, BIRTH CERTIFICATE FOR STILLBORN CHILD, read the third time by short title and placed on its final passage.
  - **S.B. 45** then passed on the following roll call:

## Yeas, 67; Nays, 0; Absent or not voting, 8.

Aagard	Adair	Alexander	Anderson
Arent	Barrus	Bennion	Beshear
Bigelow	Bourdeaux	Bowman	Bradshaw
Bryson	Buffmire	Bush	Buttars
D. Clark	S. Clark	D. Cox	Curtis
Daniels	Dayton	Dillree	Donnelson
Duckworth	Ferrin	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hendrickson	Hogue	E. Hutchings
B. Johnson	Litvack	Lockhart	Mascaro
McCartney	Morgan	Moss	Murray
Newbold	Pace	Parker	Peterson

Philpot Ray **Saunders** Seitz Siddoway G. Snow Shurtliff Styler Throckmorton **Swallow** Thompson **Tyler** Ure **Urquhart** Wallace Way Winn Young M. Stephens

**Absent or not voting were:** Representatives

S. Allen Beck Becker Biskupski Hatch Holdaway Jones King

**S.B. 45** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

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**S.B. 110**, CHILD PLACEMENT DETERMINATIONS, read the third time by short title and placed on its final passage.

On motion of Representative Seitz, the House voted to circle S.B. 110.

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**S.B. 114**, REVISOR'S STATUTE, read the third time by short title and placed on its final passage.

On motion of Representative Hatch, the House voted to circle S.B. 114.

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**S.B. 26**, SERIOUS YOUTH OFFENDER AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Swallow, the House voted to circle S.B. 26.

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**S.B. 27**, AMENDMENTS TO GUILTY AND MENTALLY ILL, read the third time by short title and placed on its final passage.

On motion of Representative Bryson, the House voted to circle S.B. 27.

\* \* :

**S.B. 25**, OFFICE OF RECOVERY SERVICES AMENDMENTS, read the third time by short title and placed on its final passage.

#### **S.B. 25** then passed on the following roll call:

#### Yeas, 68; Nays, 0; Absent or not voting, 7.

## **Voting in the affirmative were:** Representatives

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Beck
Becker	Bennion	Beshear	Bigelow
Bourdeaux	Bowman	<b>Bradshaw</b>	Bryson
Buffmire	Bush	<b>Buttars</b>	D. Clark
S. Clark	Curtis	Daniels	Dayton
Dillree	Donnelson	Duckworth	Ferrin
Ferry	Fife	Garn	Gowans
Hansen	Harper	Hatch	Hendrickson
Hogue	E. Hutchings	B. Johnson	King
Lockhart	Mascaro	McCartney	Morgan
Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Styler	Swallow	Thompson
Tyler	Ure	Urquhart	Wallace
Way	Winn	Young	M. Stephens

## **Absent or not voting were:** Representatives

Biskupski D. Cox Goodfellow Holdaway Jones Litvack Throckmorton

**S.B. 25** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

\* \* \*

- **S.B. 24**, RELEASE OF CUSTODIAL OR NONCUSTODIAL PARENT'S ADDRESS, read the third time by short title and placed on its final passage.
  - **S.B. 24** then passed on the following roll call:

## Yeas, 68; Nays, 1; Absent or not voting, 6.

## **Voting in the affirmative were:** Representatives

AagardAdairS. AllenAndersonArentBarrusBeckBeckerBennionBeshearBigelowBourdeaux

**Bradshaw Buffmire** Bush Bowman D. Clark S. Clark D. Cox **Buttars Curtis Daniels Dayton** Dillree **Donnelson Duckworth Ferrin Ferry** Fife Garn Goodfellow Gowans Hansen Harper Hatch Hendrickson King Hogue E. Hutchings B. Johnson Lockhart Mascaro **McCartney** Morgan Moss Newbold Pace Murray Parker Peterson Philpot Ray Shurtliff **Siddoway** Saunders Seitz G. Snow Styler **Swallow** Thompson Wallace **Tyler** Ure **Urguhart** Way Winn Young M. Stephens

**Voting in the negative was:** Representative

**Bryson** 

**Absent or not voting were:** Representatives

Alexander Biskupski Holdaway Jones

Litvack Throckmorton

**S.B. 24** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

\* \* \*

**S.B. 39**, HIGHWAY DESIGNATION, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle S.B. 39.

**S.B. 98**, OUTDOOR ADVERTISING AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle S.B. 98.

\* \* \*

- **S.B. 37**, MUTUAL WATER COMPANY CHANGE APPLICATIONS, read the third time by short title and placed on its final passage.
  - **S.B. 37** then passed on the following roll call:

#### Yeas, 68; Nays, 0; Absent or not voting, 7.

## **Voting in the affirmative were:** Representatives

**Aagard** Adair S. Allen Anderson Barrus **Becker Bennion** Arent **Bigelow** Bourdeaux Bowman **Bradshaw** Bryson **Buffmire** Bush **Buttars** S. Clark D. Cox D. Clark Curtis **Dayton** Dillree **Donnelson Duckworth** Ferrin Ferry Fife Garn Goodfellow Gowans Hansen Harper Hatch Hendrickson Hogue E. Hutchings Lockhart King B. Johnson Litvack Mascaro **McCartney** Moss Morgan Murray **Parker** Newbold **Pace** Peterson **Philpot Saunders** Ray Siddoway Seitz Shurtliff G. Snow **Swallow Thompson Throckmorton** Styler **Tyler** Ure Urquhart Wallace Way Winn Young M. Stephens

## **Absent or not voting were:** Representatives

Alexander Beck Beshear Biskupski
Daniels Holdaway Jones

**S.B. 37** held for possible reconsideration.

#### **UNFINISHED BUSINESS**

On motion of Representative Swallow, the House voted to uncircle S.B. 26.

- **S.B. 26**, SERIOUS YOUTH OFFENDER AMENDMENTS, was before the House on its final passage.
  - **S.B. 26**, as amended, then passed on the following roll call:

## Yeas, 69; Nays, 0; Absent or not voting, 6.

Adair	Alexander	S. Allen
Arent	Barrus	Beck
Bennion	Beshear	Bigelow
Bourdeaux	Bowman	Bradshaw
Buffmire	Bush	<b>Buttars</b>
	Arent Bennion Bourdeaux	Arent Barrus Bennion Beshear Bourdeaux Bowman

S. Clark D. Clark D. Cox **Dayton** Dillree Ferrin **Donnelson Duckworth** Fife Goodfellow Garn **Gowans** Hansen Harper Hatch Hendrickson Hogue E. Hutchings B. Johnson **Jones** King Litvack Mascaro **McCartney** Murray Newbold Morgan Moss Pace **Parker** Peterson Philpot Ray Shurtliff Saunders Seitz Siddoway Styler **Thompson Swallow Throckmorton Tyler** Ure **Urguhart** Way Young Wallace Winn M. Stephens

## **Absent or not voting were:** Representatives

Curtis Daniels Ferry Holdaway Lockhart G. Snow

S.B. 26, as amended, was returned to the Senate for further consideration.

\* \* \*

On motion of Representative Seitz, the House voted to uncircle S.B. 110.

- **S.B. 110**, CHILD PLACEMENT DETERMINATIONS, was before the House on its final passage.
  - **S.B. 110** then passed on the following roll call:

## Yeas, 67; Nays, 0; Absent or not voting, 8.

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Becker	Bennion
Bigelow	Biskupski	Bourdeaux	<b>Bowman</b>
Bradshaw	Bryson	Buffmire	Bush
Buttars	D. Clark	S. Clark	D. Cox
Curtis	<b>Daniels</b>	Dayton	Dillree
Donnelson	Duckworth	Ferrin	Ferry
Fife	Garn	Goodfellow	Gowans
Hansen	Harper	Hatch	Hendrickson
Hogue	E. Hutchings	B. Johnson	Jones
King	Litvack	Mascaro	<b>McCartney</b>

Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Styler	<b>Swallow</b>	Thompson
Throckmorton	Urquhart	Wallace	Way
Winn	Young	M. Stephens	3

## **Absent or not voting were:** Representatives

Alexander Beck Beshear Holdaway Lockhart Morgan Tyler Ure

**S.B. 110** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

\* \* \*

On motion of Representative Bryson, the House voted to uncircle S.B. 27.

- **S.B. 27**, AMENDMENT TO GUILTY AND MENTALLY ILL, was before the House on its final passage.
  - **S.B. 27** then passed on the following roll call:

## Yeas, 70; Nays, 0; Absent or not voting, 5.

Aagard	Adair	Alexander	S. Allen
Anderson	Arent	Barrus	Becker
Bennion	Beshear	Bigelow	Biskupski
Bourdeaux	Bowman	Bradshaw	Bryson
Buffmire	Bush	Buttars	D. Clark
S. Clark	D. Cox	Curtis	<b>Daniels</b>
Dayton	Donnelson	Duckworth	Ferrin
Ferry	Fife	Garn	Goodfellow
Gowans	Hansen	Harper	Hatch
Hendrickson	Hogue	E. Ĥutchings	B. Johnson
Jones	King	Litvack	Lockhart
Mascaro	McCartney	Moss	Murray
Newbold	Pace	Parker	Peterson
Philpot	Ray	Saunders	Seitz
Shurtliff	Siddoway	G. Snow	Styler
Swallow	Thompson	Throckmorton	Ure
Urquhart	Wallace	Way	Winn
Young	M. Stephens	Ŭ	

**Absent or not voting were:** Representatives

Beck Dillree Holdaway Morgan

**Tyler** 

S.B. 27 transmitted to the Senate for its consideration.

#### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

#### THIRD READING CALENDAR

**H.B. 81**, YOUTH FISHING LICENSE AMENDMENTS, read the third time by short title and placed on its final passage.

**H.B. 81** then passed on the following roll call:

Yeas, 67; Nays, 3; Absent or not voting, 5.

#### **Voting in the affirmative were:** Representatives

Aagard	Adair	S. Allen	Anderson
Arent	Barrus	Becker	Bennion
Bigelow	Biskupski	Bourdeaux	Bowman
Bradshaw	Bryson	Buffmire	Bush
Buttars	D. Clark	S. Clark	D. Cox
Curtis	Daniels	Dayton	Donnelson
Duckworth	Ferrin	Ferry	Fife
Garn	Goodfellow	Gowans	Hansen
Harper	Hatch	Hendrickson	E. Hutchings
B. Johnson	Jones	King	Litvack
Lockhart	Mascaro	McCartney	Morgan
Moss	Murray	Newbold	Pace
Parker	Peterson	Philpot	Ray
Saunders	Seitz	Shurtliff	Siddoway
G. Snow	Styler	Swallow	Thompson
Throckmorton	Urquhart	Wallace	Way
Winn	Young	M. Stephens	-

## **Voting in the negative were:** Representatives Alexander Beshear Ure

**Absent or not voting were:** Representatives

Beck Dillree Hogue Holdaway

**Tyler** 

## **H.B. 81** transmitted to the Senate for its consideration.

#### **UNFINISHED BUSINESS**

On motion of Representative Lockhart, the House voted to uncircle **H.B. 243**.

- **H.B. 243**, CHILD IMMUNIZATION AMENDMENTS, was before the House on its final passage.
  - **H.B. 243** then passed on the following roll call:

## Yeas, 46; Nays, 25; Absent or not voting, 4.

## **Voting in the affirmative were:** Representatives

Aagard	S. Allen	Anderson	Barrus
Bennion	Bigelow	Bowman	Bush
Buttars	D. Clark	S. Clark	D. Cox
Curtis	Dayton	Dillree	Donnelson
Ferrin	Ferry	Garn	Hansen
Harper	Hatch	Hogue	Holdaway
E. Hutchings	B. Johnson	Lockhart	Mascaro
Murray	Newbold	Parker	Peterson
Philpot	Seitz	Siddoway	G. Snow
Styler	Swallow	Thompson	Throckmorton
Ure	Urquhart	Wallace	Way
Winn	M. Stephens		

## Voting in the negative were: Representatives

Adair	Arent	Beck	Becker
Beshear	Biskupski	Bourdeaux	Bradshaw
Buffmire	Daniels	Duckworth	Fife
Goodfellow	Hendrickson	Jones	King
Litvack	McCartney	Morgan	Moss
Pace	Ray	Shurtliff	Tyler
Young	J		J

## **Absent or not voting were:** Representatives

Alexander Bryson Gowans Saunders

H.B. 243 transmitted to the Senate for its consideration.

#### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to adjourn until January 31, 2002, at 9:30 a.m.

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<b>H.B. 71</b> ELIMIN	ATE STRAIGHT PARTY VOTING OPTION ( <i>T. Beck</i> ) Read for the first time and referred to the Rules Committee
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	SION OF GOVERNMENTAL IMMUNITY (R. Barrus) Read for the first time and referred to the Rules Committee	49
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	Read the third time	18
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H.B. 220 CONT	ROL OF PRECURSOR CHEMICALS (A. L. Tyler)	
	Read for the first time and referred to the Rules Committee Assigned to standing committee	
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H.B. 221 STATE	BOARD OF EDUCATION RULES AND REPORTS (M. Dayton) Read for the first time and referred to the Rules Committee	5
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H.B. 223 HUNT	ING LICENSE FEE REFUND (M. Styler)	
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	Read for the first time and referred to the Rules Committee  Read the second time	7
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II B eec TEDM	Read the second time Read the third time Transmitted to the Senate	7 20
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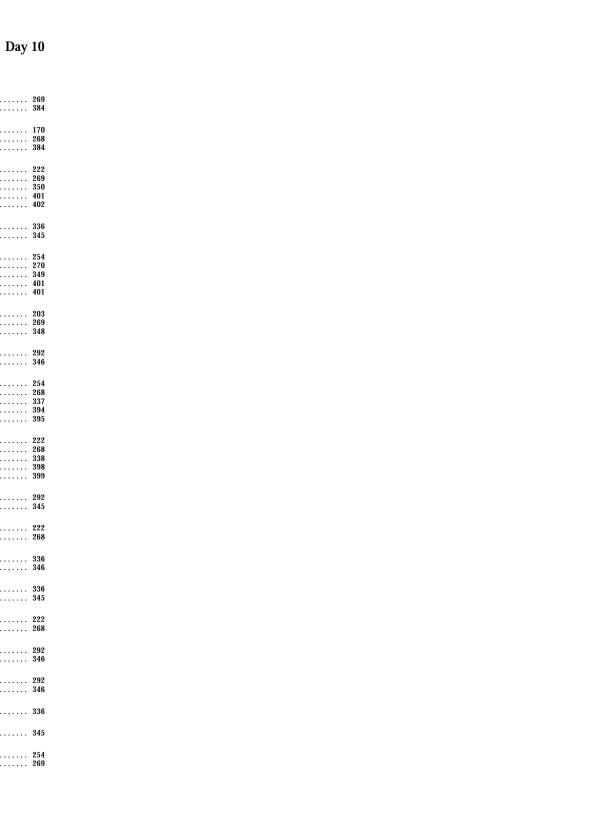
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Read the second time
Read the third time
Signed by the Speaker and transmitted to the Governor
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Read for the first time and referred to the Rules Committee
Read the second time
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**Day 10**